

A message was received from the Senate, transmitting the following Preamble and Resolutions, in which they ask the concurrence of the House of Commons :

WHEREAS, By the Constitution of the United States, it is provided that the Senate of the United States, shall consist of two Senators from each State, chosen by the Legislature thereof; *And whereas*, By the Constitution of this State, the Legislative authority is vested in two distinct branches, both dependent on the people, to wit: a Senate and House of Commons; *And whereas*, The members of the Senate and House of Commons of this State, derive their seats from the sovereign people of their districts and counties, respectively; *And whereas*, an election of United States' Senator, to represent the State, in the Congress of the United States, for six years from and after the 4th of March next, devolves upon the present General Assembly; *And whereas*, The said United States' Senator, when elected, is the servant and representative of the whole people of the State; *And whereas*, It is both right and expedient that the people of Yancy county should have a voice in the election of said United States' Senator; *And whereas*, An election was held in said county yesterday, the 8th inst., for a member in the other branch of the Legislature, which member elect will probably take his seat by the 20th instant :

*Therefore be it Resolved*, That a message be sent to the House of Commons, proposing that the two Houses shall go into an election of United States' Senator, on the 20th instant, at 12 o'clock.

*Resolved further*, That in the election of United States' Senator, the members of this Assembly should represent the political opinions of a majority of the people of the whole State, as clearly ascertained on the 7th of November last.

Which were read, and on motion of Mr. Hayes, ordered to lie on the table; Yeas 57, Nays 56.

Yeas and Nays demanded by Mr. Martin.

Those who voted in the affirmative were :